IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.5743 OF 1997

Maruti Hari La**tke** **.. Petitioner.**

Verus.

State of Maharashtra & Ors ... Respondents.

Mr.Bandiwadekar **for petitioner.**

Ms.Sushma Bhend**e, AGP for** respondents 1 to 3.

CORAM: R.M.S.KHANDEPARKAR &
V.M.KANADE,JJ.
DATE : SEPTEMBER 21,2005.

P.C.

1. Heard. In view of the statement made in affidavit in reply, filed on behalf of respondents on 19.9.2005 to the effect that, only 40 Ares of land of the petitioner would be acquired in the present land acquisition proceeding, which is the subject matter of this petition and it would not acquire any other land of the petitioner, the petitioner has no grievance about such acquisition being restricted to 40 Ares of the land of the petitioner. We accept the statement on behalf of the respondent that acquisition in relation to petitioner's land would be restricted to 40 Ares. In view of the said acceptance, the petitioner while reserving his right to identify the area for 40 Ares, for the purpose of

acquisition , craves to withdraw the petition. Respondent will have to ascertain the area of 40 Ares in accordance with the choice made in that regard by the petitioner.

2. The petitioner, accordingly stands withdrawn while accepting the said statement on behalf of the respondent.

3. Rule stands discharged.

(R.M.S.KHANDEPARKAR,J)

(V.M.KANADE,J)